

REMARKS

Claims 8-9 are pending in this application. Claims 8 and 9 are amended above.

At paragraph 2, the Office Action indicates that the Amendment dated October 1, 2008 was non-responsive. However, Applicants already had corrected the problem through a Correction filed November 24, 2008.

Claims 8 and 9 again have been rejected under 35 U.S.C. 101.

Without necessarily agreeing with the Examiner's proposed construction of the phrase "computer-implemented"¹, in order to advance prosecution, amended claims are proposed. Reconsideration and withdrawal of the rejection under 35 U.S.C. 101 are respectfully sought.

In view of the foregoing, it is requested that the application be reconsidered, that claims 8-9 be allowed, and that the application be passed to issue.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at 703-787-9400 to discuss any other changes deemed necessary in a telephonic or personal interview.

If an extension of time is required for this response to be considered as being timely filed, a conditional petition is hereby made for such extension of time. Please charge any deficiencies in fees and credit any overpayment of fees to Deposit Account 50-0510 (IBM-Yorktown).

Respectfully submitted,



Mary E. Goulet
Registration No. 35,884

Whitham, Curtis Christofferson & Cook, P.C.
11491 Sunset Hills Road, Suite 340
Reston, Virginia 20190
Tel. (703) 787-9400
Fax. (703) 787-7557

Customer No. 30743

¹See, e.g., USP 7,487,545; USP 7,487,440.